

Additional Newly Discovered Evidence  
"Case NO. 12-0416-CV-W-DW-P"

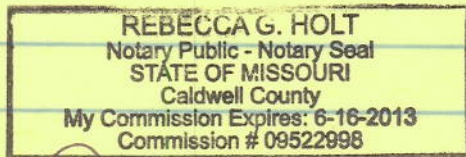
This new evidence corroborates and collaborates with appellants already submitted part two of Ground one document regarding the states key-eye witness Lorianne Morrow on page 99 of his Federal Habeas Corpus petition. With-in that ground appellant supports his argument with evidence that the courts have access and authority to confirm verification of a confession from Lorianne Morrow, stating that appellant did not commit the murder and that appellant was "set-up" (Federal Habeas Corpus petition page 103, Phone call made from Crossroad Correctional Center to Junis Morrow (Son) cell phone (816) 778-4714 at 6:40 pm, 7:11 p.m. and 7:21 p.m.)

The additional Newly Discovered Evidence is another phone call that was made from the Crossroad Correctional Center to Lorianne Morrow cell phone by appellant at the request of her son Junius Morrow to appellant, to make the call to let his mother know that he was in administrative segregation and that he would not be able to call her for about 30 days. After appellant relayed the message he asked Lorianne what she meant when she told appellant that he was "set-up". Lorianne Morrow confess that the "first" prosecutor, Amy McGowan told her the location of the spent shell casing which allowed her to testify falsely in the third trial alleging that she witness appellant shooting from that location, (Although she testified in the second trial that she didn't see appellant there) SEE: Trial 3, transcript pages 47-152. Ex. "A"  
"Phone call was made to Lorianne Morrow cell phone (816) 382-2749 on April 10, 2012 at 9:43 am. to 10:08 am. from Crossroad Corrections.



Appellant prays that the Court uses its authority to verify these phone conversations "to prevent a miscarriage of justice", because this new evidence will not only prove prosecutorial misconduct, it will also shine light on all the 4 grounds submitted in appellants petition to establish his "actual innocence".

Respectfully Submitted  
*Keith Lamm*



*Rebecca G. Holt 5/2/12*

1 A He had a big gun in his hand, sir.  
 2 Q Okay. But, ma'am, to roll over this guy's body,  
 3 he's got to do something. So does he put the gun  
 4 down?  
 5 A Yes.  
 6 Q He puts the gun down?  
 7 A I didn't see the gun in his hand no more.  
 8 Q So he puts the gun down, rolls him over, and then  
 9 does he pick the gun back up?  
 10 A And shoots him some more.  
 11 Q You saw this?  
 12 A Yes.  
 13 Q Okay. Now, ma'am, do you remember testifying at  
 14 this court hearing before? Do you remember coming  
 15 here?  
 16 A I said he shot him some more.  
 17 Q Now, when he turned him over, how many times did  
 18 you say he shot him?  
 19 A Maybe about five, six more times.  
 20 Q Five or six more times?  
 21 A Right.  
 22 Q All right. From point-blank range?  
 23 A Yes.  
 24 Q Okay. So he puts the gun down, rolls the body  
 25 over, picks the gun back up, and shoots him five

1 yard?  
 2 A Yes.  
 3 Q You did? Remember, ma'am, you promised to tell  
 4 the truth.  
 5 A Wait a minute. Repeat that again, please,  
 6 because you're saying so many different things.  
 7 Q All right. Well, I don't want to confuse you; I  
 8 just want to get the truth. 2846 Wabash, the  
 9 house on the corner --  
 10 A That's that green house.  
 11 Q Right. Did you see him in that yard?  
 12 A I seen him around that way.  
 13 Q Now, wait a minute, you just said a few minutes  
 14 ago you saw him --  
 15 A On the porch.  
 16 Q You saw him on the porch?  
 17 A The shell casings and all of this stuff was on  
 18 the porch.  
 19 Q Who told you the shell casings were on the porch?  
 20 A Didn't nobody tell me anything. I was there.  
 21 Q How do you know the shell casings were on the  
 22 porch, ma'am?  
 23 A I seen him shoot from the porch.  
 24 Q Who told you the shell casings were on the porch,  
 25 ma'am?

1 times?  
 2 A Right, which was senseless.  
 3 Q Okay. So if he shot him that close five times --  
 4 that's what you're saying, five times?  
 5 A He shot him five more times. There was five more  
 6 shots fired.  
 7 Q Five more shots fired from right up over him,  
 8 correct?  
 9 A Yes.  
 10 Q You're positive about that?  
 11 Yes, ma'am? Are you or not?  
 12 A I'm positive about that.  
 13 Q Okay. And after he reaches down, turns him over,  
 14 and shoots him five times, what does he do then?  
 15 A He took off.  
 16 Q What did you do?  
 17 A I took off, too. If someone sees somebody kill  
 18 somebody, do you think they're going to try to  
 19 hurt them too? Come on, now.  
 20 Q Did you ever see Mr. Carnes in the yard at 2846?  
 21 A Have I ever seen him there before?  
 22 Q That night, did you see him in that yard?  
 23 A I seen him on the balcony porch.  
 24 Q No, not the building here. At 2846 Wabash is a  
 25 house on the corner. Did you see him in that

1 A I seen him shoot from the porch. I know what I  
 2 seen. A man is dead, it's not a game anymore.  
 3 MR. TONEY: Your Honor, I would like to  
 4 refer to the trial transcript from the first  
 5 trial, page 39.  
 6 Have you got that, Ms. Parsons, page  
 7 39?  
 8 Do you have it now?  
 9 MS. PARSONS: Uh-huh.  
 10 Q (By Mr. Toney) Ms. Morrow, do you remember being  
 11 asked the question, "You didn't see Mr. Carnes  
 12 jump that fence, did you?" Do you remember being  
 13 asked a question like that?  
 14 A I don't remember.  
 15 Q Can you read and write the English language?  
 16 A Can I read and write English? Yes, I can.  
 17 Q Okay. I want to show you a certified copy of your  
 18 testimony from the first trial that we had, and  
 19 the question that was asked to you was, "Okay.  
 20 And, in fact, that front yard has a fence around  
 21 it, doesn't it?"  
 22 What is your answer, line 5?  
 23 A "Yes."  
 24 Q Read the whole line, please.  
 25 A "Yes, it has a fence around it."



1 Q The next question was, "You didn't see Mr. Carnes  
2 jump that fence, did you?"  
3 What do you answer?  
4 A "Jump the fence?"  
5 Q Keep going?  
6 A "Why would he jump the fence when he could come  
7 down the stairs?"  
8 That's what I'm saying, are you  
9 pertaining to the apartment building or the  
10 house?  
11 Q We are at 2846, ma'am.  
12 A Okay.  
13 Q Okay. So the next question is, "So you never saw  
14 him in the yard of 2846? Is that correct?"  
15 A I said, "2846," which is the apartment or the  
16 house? I'm talking about the apartment building.  
17 Q Moving on, the next question is, "All right. So,  
18 ma'am, I just want to make sure I understand what  
19 you're saying. I don't want to be confused here.  
20 Okay? You're standing on this corner. Just  
21 follow me here. You're standing on this corner.  
22 Okay? And you say that Keith comes off this porch  
23 to confront Larry with the gun, correct?"  
24 A "Correct."  
25 Q Okay. "And you're saying Larry runs toward him

1 A Make me lie? I'm not lying.  
2 Q Okay. It makes you confused?  
3 A Confused?  
4 Q Yeah. Does it make you confused?  
5 A Of course, it makes me confused. You're not  
6 being direct about what you're saying.  
7 Q Well, ma'am, you're the one -- for one thing, you  
8 say you saw him there, and the next day you say  
9 he's not there. I'm just trying to get at the  
10 truth. Either you saw him there or you didn't.  
11 A I seen him there.  
12 Q So when you told the other jury that he wasn't  
13 there, you was lying, right?  
14 MS. PARSONS: Objection, Your Honor.  
15 This is an improper attack on her. She said she  
16 didn't see him in the yard. Today, she said she  
17 saw him on the porch. Those are two different  
18 things. I think at this point he's made his  
19 point and now he is just beating her up for  
20 sport, and I would object to this line of  
21 questioning.  
22 THE COURT: All right. Let's proceed.  
23 MR. TONEY: All right.  
24 Q (By Mr. Toney) Now, after going into the church  
25 parking lot, what did you do?

1 while Keith has that gun in his hand, correct?"  
2 What do you say?  
3 A "Yes."  
4 Q Now, let's go back up here to line number 9.  
5 A Okay.  
6 Q "Okay. So you never saw him in the yard of 2846?  
7 Is that correct? ANSWER: 2846," and then you  
8 shook your head.  
9 Is that correct?  
10 A Yes.  
11 Q All right. So, ma'am, at the first trial, you  
12 testified that you never saw him in that yard and  
13 now you're telling us that you did. So were you  
14 lying then or are you lying now?  
15 A I'm not lying at all.  
16 Q But you told the ladies and gentlemen of the first  
17 jury that you never saw him in that yard, correct?  
18 A Yes. I've been taking so much medication --  
19 Q Oh, so you're on medication?  
20 A Yes, I am.  
21 Q Okay. So your head is not clear?  
22 A My head is clear, but I'm on medication.  
23 Q What medications are you taking?  
24 A I take darvocet, I take prednisone.  
25 Q Does that medication make you lie?

1 A What did I do?  
2 Q Yes, ma'am.  
3 A What did I tell you I did?  
4 Q I'm asking, because I forgot. What did you do?  
5 A I was hiding behind the building, I was hiding  
6 behind the building.  
7 Q You were hiding behind the building?  
8 A Yes.  
9 Q Is it dark over there?  
10 A Yes, it's dark over there.  
11 Q No lights in there, right?  
12 A No lights.  
13 Q This was nighttime, right?  
14 A This was at nighttime.  
15 Q 9:00 at night, correct?  
16 A Correct.  
17 Q And that area was dark?  
18 A Yes.  
19 Q Okay. You're saying that you're hiding in the  
20 dark and you're trying to look all the way from  
21 right here over to here? Is that what you're  
22 telling me?  
23 A I seen the man shoot the boy. I'm just telling  
24 you what I seen.  
25 Q Just like you know you saw him put the gun down